

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

	X	
	:	
SPERO HARITATOS,	:	
	:	
Plaintiff,	:	
	:	
- against -	:	Case Number: 05 Civ. 930 (DNH-GJD)
	:	
HASBRO, INC.	:	
and TOYS “R” US-NY LLC,	:	
	:	
Defendants.	:	
	:	
	X	

DEFENDANT HASBRO, INC.’S EXHIBIT LIST

Pursuant to the Court’s January, 31, 2008 Order, Defendant Hasbro, Inc. submits this Exhibit List. Hasbro anticipates offering the following exhibits into evidence on its principal case at the March 4, 2008, hearing. Hasbro reserves its right to offer into evidence additional rebuttal exhibits.

<u>EXHIBIT #</u>	<u>DATE</u>	<u>DESCRIPTION</u>	<u>ADMITTED</u>
<u>Court Orders</u>			
1	08/11/2006	Order of Magistrate Judge DiBianco that all outstanding discovery from any party, to the extent that it has not already been produced, must be produced within thirty (30) days	
2	10/19/2006	Order of District Judge Hurd denying objections to Magistrate Judge DiBianco's order and that all outstanding discovery must be produced by November 30, 2006	

<u>EXHIBIT #</u>	<u>DATE</u>	<u>DESCRIPTION</u>	<u>ADMITTED</u>
<u>Discovery Requests And Responses</u>			
3	10/27/2005	Hasbro's First Set of Requests for Production of Documents to Plaintiff	
4	12/09/2005	Plaintiff's Response to Hasbro's First Set of Requests for Production of Documents	
5	05/31/2006	Hasbro's Second Set of Requests for Production of Documents to Plaintiff	
6	05/31/2006	Hasbro, Inc.'s First Set of Interrogatories to Plaintiff	
7	09/15/2006	Defendant Hasbro, Inc.'s Second Set of Interrogatories to Plaintiff	
8	09/18/2006	Plaintiff's First Amended Response to Hasbro's First Set of Requests for Production of Documents	
9	10/16/2006	Plaintiff's Response to Defendant Hasbro, Inc.'s Second Set of Interrogatories to Plaintiff	
10	01/31/2007	Defendant Hasbro, Inc.'s Second Set of Requests for Admissions to Plaintiff	
11	01/31/2007	Hasbro's Third Set of Requests for Production of Documents to Plaintiff	
12	01/31/2007	Defendant Hasbro, Inc.'s Third Set of Interrogatories to Plaintiff	
13	02/23/2007	Email from Robert E. Purcell to Amanda K. Kay Refusing to Respond to Hasbro's Second Set of Requests for Admission, Third Set Of Interrogatories and Third Set of Requests for Production of Documents	
<u>Transcripts/Deposition Excerpts</u>			
14	02/16/2005	Excerpts of Deposition of Plaintiff Spero Haritatos	
15	05/17/2006	Excerpts of Deposition of Plaintiff Spero Haritatos	
16	05/18/2006	Excerpts of Deposition of Sharon Haritatos	

<u>EXHIBIT #</u>	<u>DATE</u>	<u>DESCRIPTION</u>	<u>ADMITTED</u>
17	02/07/2007	Excerpts of Deposition of Anna Bushnell	
<u>Correspondence Concerning Discovery Issues</u>			
18	04/17/2006	Letter from Michael D. Sant' Ambrogio to Robert E. Purcell Concerning Deficiencies in Plaintiff's Responses to Hasbro's First Set of Requests for Production of Documents	
19	05/02/2006	Letter from Robert E. Purcell to Michael D. Sant' Ambrogio in Response to Letter dated 04/17/2006	
20	05/09/2006	Letter from Michael D. Sant' Ambrogio to Robert E. Purcell in Response to Letter dated 05/02/2006	
21	05/19/2006	Letter from Michael D. Sant' Ambrogio to Robert E. Purcell Requesting Response to Hasbro's Requests for Production of Documents	
22	06/08/2006	Letter from Kim J. Landsman to Robert E. Purcell Concerning Discovery	
23	06/21/2006	Email from Robert E. Purcell to Kim J. Landsman	
24	10/06/2006	Letter from Kim J. Landsman to Robert E. Purcell Concerning Deficiencies in (1) Plaintiff's First Amended Response to Hasbro's First Set of Requests for Production of Documents, (2) Plaintiff's Response to Hasbro's Second Set of Requests for Production of Documents, and (3) Plaintiff's Response to Hasbro's First Set of Interrogatories	
25	11/07/2006	Letter from Kim J. Landsman to James R. Muldoon Concerning Deficiencies in (1) Plaintiff's Response to Hasbro's Second Set of Interrogatories, and (2) Plaintiff's Response to Hasbro's First Set of Requests for Admission	
26	12/06/2006	Letter from Kim J. Landsman to James R. Muldoon Concerning (1) Plaintiff's Contempt of Court Order of 10/19/2006, (2) Plaintiff's Failure to Respond to Discovery Issues, and (3) Hasbro's Intent to Depose Anna Bushnell	
27	12/07/2006	Letter from James R. Muldoon Responding to Kim J. Landsman's Letter dated 12/06/2006	
28	12/14/2006	Transcription of Voicemail from Robert E. Purcell to Kim J.	

<u>EXHIBIT #</u>	<u>DATE</u>	<u>DESCRIPTION</u>	<u>ADMITTED</u>
		Landsman	
29	02/26/2008	Affirmation of Carole Diker attesting to the accuracy of the transcription of Robert E. Purcell's 12/14/06 voicemail to Kim J. Landsman	
30	02/25/2007	Email from Amanda K. Kay Responding to Robert E. Purcell's Email dated 02/23/2007	
<u>Motions/Correspondence to the Court</u>			
31	06/26/2006	Letter from Kim J. Landsman to Magistrate Judge DiBianco	
32	07/26/2006	Letter from Robert E. Purcell to Magistrate Judge DiBianco Concerning Discovery Responses	
33	05/17/2007	Motion Letter Seeking Sanctions from Kim Landsman to Magistrate Judge DiBianco	
34	05/22/2007	Opposition Letter to Motion Seeking Sanctions from Robert E. Purcell to Magistrate Judge DiBianco	
35	06/07/2007	Reply Letter Motion Seeking Sanctions from Kim Landsman to Magistrate Judge DiBianco	
<u>Websites Referenced In Hasbro's First Set Of Requests For Admission To Plaintiff</u>			
36		Web pages located at www.candylandstore.com - Candyland, Inc., St. Paul, MN – Request Nos. 18-21	
37		Web pages located at www.1800candyland.com - 16 th Avenue Candyland, Brooklyn, NY – Request Nos. 28-30	
38		Web pages located at www.dolles.com – Dolles Candyland, Ocean City, MD – Request Nos. 35-41	
39		Web pages located at www.jtskandylandexpress.com - J.T.'s Kandyland Express, Omaha, NE – Request Nos. 48-50	
40		Web pages located at www.candylandcrafts.com - Candyland Crafts, Somerville, NJ – Request Nos. 51-53	
41		Web pages located at www.stores.ebay.com/Beulahs-Candyland - Beulahs-Candyland, Ephrata, PA – Request	

<u>EXHIBIT #</u>	<u>DATE</u>	<u>DESCRIPTION</u>	<u>ADMITTED</u>
		Nos. 56-59	
42		Web pages located at www.stores.ebay.com/Candyland-Direct_W0QQcolZ4QQdirZ1QQfsubZQ2d33QQftidZ2QQtZkm - Request Nos. 60-61	
43		Web pages located at www.shelburnecountrystore.com/home/catalogue/14081/14083.html - Shelbourne, VT - Request Nos. 62-64	
44		Web pages located at www.thecandylandstore.com – Request Nos. 65-68	
45		Web pages located at www.zebs.com/giftbaskets.html?action=showitem&catid=36&itemid=1271&secid=9 – Zeb’s General Store, North Conway, NH – Request Nos. 69-72	

CERTIFICATE OF SERVICE

I hereby certify that I have caused a copy of the foregoing **DEFENDANT HASBRO, INC.'S EXHIBIT LIST** to be filed electronically, with copies sent electronically to the counsel set forth below on February 26, 2008:

Robert E. Purcell, Esq.
Hiscock & Barclay
Attorneys for Plaintiff Spero Haritatos
One Park Place
Syracuse, New York 13202
(315) 422-2131

and

John G. McGowan, Esq.
Bond, Schoeneck & King, PLLC
Attorneys for Defendant Toys "R" Us
One Lincoln Center
Syracuse, New York 13202-1355
(315) 218-8121

/s/ Amanda K. Kramer

Amanda K. Kramer